ARTICLE 3. NUISANCES

TABLE INSET:

| § 3-5300. | Nuisances by animals. |
|-----------|-----------------------|
|-----------|-----------------------|

Sec. 3-5300. Nuisances by animals.

It shall be unlawful and a nuisance for:

- (1) Any person owning, keeping or having in his care or custody any animal to knowingly permit or suffer such animal, by any barking or other noise or sound, to disturb any other person's peace and quiet. This section shall not be construed to prohibit the keeping of any watchdog, provided the keeper thereof takes immediate steps to quiet such dog whenever it barks, and provided such keeper never leaves such dog unattended on the premises in a place where its barking, if prolonged or if repeated an undue number of times, disturbs any other person's peace and quiet.
- (2) Any person owning, keeping or having in his/her care or custody any animal to allow, permit or suffer such animal to damage or destroy the property of another person or public property, or to repeatedly deposit its body waste fluid or matter upon such property, without the consent of a person in charge of such property.
- (3) Any person owning, keeping or having in his/her care or custody any animal to allow, permit or suffer such animal to cause unsanitary, dangerous or offensive conditions due to inadequate care or facilities, or due to the size, type or number of animals maintained at a single location.
- (4) Any person owning, keeping or having in his/her care or custody any animal, to knowingly or negligently allow, permit or suffer such animal to molest, attack or otherwise interfere with the freedom of lawful movement of any person or to chase vehicles or to attack other domestic animals.
- (5) Any person having custody or control of any dog to fail to immediately remove, seal in a paper or plastic bag, or other sealable container, and deposit in a waste receptacle, the contents of which are regularly emptied, any feces deposited by such dog on any public street, sidewalk, parking strip, park or trail or upon any private or other public property without the consent of the owner or person in charge of such property. Alternatively, the feces may be picked up and removed by means of a device manufactured for such purposes.
- (6) Any person owning, having custody or control of any dog while in or on a public street, sidewalk, park or trail, to fail to have in such person's immediate possession a sealable paper or plastic bag, or other sealable container, or a device manufactured for such purposes, for the picking up, removal and sanitary disposal of animal feces.
- (7) Any person owning, having custody or control of any dog while in or on a public street, sidewalk, park or trail, to fail or refuse to show on demand of any animal services officer or, while in a city park, of any park ranger, a sealable paper or plastic bag, or other sealable container, or a device manufactured for such purposes, for the picking up, removal and sanitary disposal of animal feces which may be deposited by that dog. The provisions of subsections (5), (6), and (7) hereof shall not apply to a disabled or vision impaired person whose disability or impairment would prevent the picking up of the feces, nor to a person using a dog trained in rescue while engaged in a city-recognized emergency or rescue activity.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2155, § 2, 2-20-96; Ord. No. 2214, § 1, 1-14-97.)